

RESOLUTION NO. 071055

**BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA
ACTING AS THE COUNTY OF SAN MATEO AND THE GOVERNING BOARD OF
THE CRYSTAL SPRINGS COUNTY SANITATION DISTRICT**

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RESOLUTION

**AUTHORIZING THE PRESIDENT OF THE BOARD TO EXECUTE AN
AMENDMENT TO THE SANITARY SEWAGE AGREEMENT AMONG THE
TOWN OF HILLSBOROUGH, CITY OF SAN MATEO,
CRYSTAL SPRINGS COUNTY SANITATION DISTRICT, AND THE
COUNTY OF SAN MATEO FOR THE ENVIRONMENTAL STUDY AND DESIGN
COSTS ASSOCIATED WITH IMPROVEMENTS TO THE CRYSTAL
SPRINGS/EL CERRITO TRUNK SEWER TRANSMISSION LINES.**

RESOLVED, by the Board of Supervisors of the County of San Mateo, State of California, acting as the County of San Mateo and the governing board of the Crystal Springs County Sanitation District, that

WHEREAS, the Town of Hillsborough (Hillsborough), City of San Mateo (San Mateo), Crystal Springs County Sanitation District (District), and the County of San Mateo (County) entered into a sanitary sewage agreement dated July 18, 1989 (1989 Agreement), which sets forth the parties' respective rights and obligations with respect to the use of sewage conveyance and treatment facilities jointly used by Hillsborough, San Mateo, District, and County; and

WHEREAS, the 1989 Agreement specifies that expenses related to repairs and upgrades to jointly used facilities will be proportionally shared based on each party's contribution of flow to the jointly used sewage conveyance and treatment facilities; and

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WHEREAS, the 1989 Agreement also specifies that Hillsborough and San Mateo own the portions of the Crystal Springs/El Cerrito Trunk Sewer located within their jurisdiction and are responsible for making any necessary repairs, reconstruction, replacement, enlargement, or improvements to their sections of the sewer, subject to each party's obligation to make the proportional payments described above; and

WHEREAS, the California Regional Water Quality Control Board (San Francisco Bay Region) issued Cease and Desist Order R2-2009-0020 (CDO) on March 13, 2009 to Hillsborough, San Mateo and the District requiring that the parties undertake certain actions, studies, and projects to improve performance and capacity of sewer facilities, including the Crystal Springs/El Cerrito Trunk Sewer, which is subject to the 1989 Agreement; and

WHEREAS, there has been presented to this Board a form of an Amendment to the 1989 Agreement providing for the allocation of the parties' shares of the environmental study and design costs related to the above-referenced CDO-mandated Crystal Springs/El Cerrito Trunk Sewer Improvements ; and

WHEREAS, the Director of Public Works and Department staff have reviewed the Amendment to the 1989 Agreement and have concluded that the proportional expenses reflected in the Amendment should be used as the basis for allocating the environmental study and design costs for the Crystal Springs/El Cerrito Trunk Sewer Improvements; and

WHEREAS, this Board has reviewed and considered said Amendment and the recommendation of the Director of Public Works and concurs with the Director's recommendation.

NOW THEREFORE, IT IS HEREBY DETERMINED AND ORDERED as follows:

The President of this Board of Supervisors be, and is hereby, authorized and directed to execute said Amendment for and on behalf of both the District and the County and signature of the Clerk of this Board shall attest thereto.

* * * * *

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Regularly passed and adopted this 28th day of September, 2010.

AYES and in favor of said resolution:

Supervisors:

MARK CHURCH

CAROLE GROOM

RICHARD S. GORDON

ROSE JACOBS GIBSON

ADRIENNE J. TISSIER

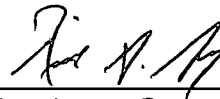
NOES and against said resolution:

Supervisors:

NONE

Absent Supervisors:

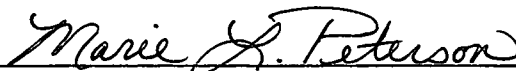
NONE



President, Board of Supervisors
County of San Mateo
State of California

Certificate of Delivery

I certify that a copy of the original resolution filed in the Office of the Clerk of the Board of Supervisors of San Mateo County has been delivered to the President of the Board of Supervisors.



Marie L. Peterson, Deputy
Clerk of the Board of Supervisors

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